

IPW

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

7

Application Number

10/757,108

Filing Date

January 14, 2004

First Named Inventor

Danny D. Diaz

Art Unit

3641

Examiner Name

Stephen M. Johnson

Attorney Docket Number

R076.1287.1

### ENCLOSURES (Check all that apply)



Fee Transmittal Form



Fee Attached



Amendment/Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Reply to Missing Parts/  
Incomplete Application



Reply to Missing Parts  
under 37 CFR 1.52 or 1.53



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a



Provisional Application



Power of Attorney, Revocation



Change of Correspondence Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) \_\_\_\_\_

☐ Landscape Table on CD



After Allowance Communication to TC



Appeal Communication to Board  
of Appeals and Interferences



Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please identify  
below):

PTO Form SB/08a; Rule 37 CFR 1.97(e)(2)  
Certification; 1 Foreign Patent Reference;  
Return Postcard

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

WOMBLE CARLYLE SANDRIDGE & RICE, PLLC

Signature

Printed name

C. Keith Montgomery

Date

7-27-05

Reg. No.

45,254

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Sharon R. Dunn, Paralegal

Date

07/27/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/SB/17 (12-04v2)

Approved for use through 07/31/2006. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 0.00

**Complete if Known**

Application Number	10/757,108
Filing Date	January 14, 2004
First Named Inventor	Danny D. Diaz
Examiner Name	Stephen M. Johnson
Art Unit	3641
Attorney Docket No.	R087.1287.1

**METHOD OF PAYMENT** (check all that apply)☐ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 09-0528 Deposit Account Name: Womble Carlyle Sandridge

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☐ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

**2. EXCESS CLAIM FEES****Fee Description**

Each claim over 20 (including Reissues)

**Small Entity**

Fee (\$)

Fee (\$)

Each independent claim over 3 (including Reissues)

Multiple dependent claims

50 25

200 100

360 180

**Total Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 20 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of total claims paid for, if greater than 20.

**Indep. Claims** **Extra Claims** **Fee (\$)** **Fee Paid (\$)**

- 3 or HP = \_\_\_\_\_ x \_\_\_\_\_ = \_\_\_\_\_

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<b>Total Sheets</b>	<b>Extra Sheets</b>	<b>Number of each additional 50 or fraction thereof</b>	<b>Fee (\$)</b>	<b>Fee Paid (\$)</b>
- 100 = _____	/ 50 = _____	(round up to a whole number) x _____	= _____	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): \_\_\_\_\_

**Fees Paid (\$)****SUBMITTED BY**

Signature		Registration No. (Attorney/Agent)	45,254	Telephone (404)872-7000
Name (Print/Type)	C. Keith Montgomery	Date	7-22-05	

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.*



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
)  
                    **Danny D. Diaz et al.** )  
)                   Examiner:     **Stephen M. Johnson**  
Serial No.:     **10/757,108** )  
)                   Art Unit:     **3641**  
Filed:           **January 14, 2004** )  
)                   Docket No.:   **R087.1287.1**  
For:             **FIRE CONTROL ADJUSTMENT** )  
                    **SYSTEM** )

**FIRST SUPPLEMENTAL**  
**INFORMATION DISCLOSURE STATEMENT**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

The citation of information on the attached Form PTO/SB/08A "Information Disclosure Statement By Applicant" is made pursuant to 37 C.F.R. §§ 1.97(e)(1). Pursuant to the waiver reported at Official Gazette Notice No. 1276 O.G. 55 dated August 5, 2003 concerning 37 CFR 1.98(a)(2)(i), copies of items A-D are not enclosed. Pursuant to 37 C.F.R. §1.98, a copy of item E is enclosed.

Copies of the references listed on the attached Form PTO/SB/08A are being submitted at this seemingly late date because they were only recently brought to our attention. A certification, as specified in paragraph (e)(2) of 37 CFR 1.97, is enclosed herewith.

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I hereby certify that this correspondence is being sent via first-class mail to Mail Stop: Amendment,  
Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450,  
on July 27, 2005.

Sharon R. Dunn

Sharon R. Dunn

First Supplemental Information Disclosure Statement  
U.S. Patent Application Serial No. 10/757,108  
Filed: January 14, 2004  
Title: FIRE CONTROL ADJUSTMENT SYSTEM

The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of the information, and to form independent opinions as to their significance.


It is respectfully requested that the Examiner initial and return copies of the enclosed Form PTO/SB/08A and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

The citation of this information does not constitute an admission that any of the materials are available as a reference or of priority, or a waiver of any right Applicants may have under applicable statutes, Rules of Practice in patent cases, or otherwise.

Pursuant to 37 C.F.R. §1.97(b)(4) applicant asserts no fee is due. The Commissioner is hereby authorized to charge any deficiencies which may be required, or credit any overpayment to Deposit Account Number 09-0528.

Respectfully submitted,

7-27-05  
Date

  
\_\_\_\_\_  
C. Keith Montgomery  
Reg. No. 45,254  
Attorney for Applicant

**Customer No.: 26158**  
WOMBLE CARLYLE SANDRIDGE & RICE  
P. O. Box 7037  
Atlanta, Georgia 30357-0037  
(404) 879-2443 (Telephone)  
(404) 879-2943 (Facsimile)



**PATENTS**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
)  
                    **Danny D. Diaz et al.** )  
)                   **Examiner: Stephen M. Johnson**  
Serial No.:   **10/757,108** )  
)                   **Art Unit: 3641**  
Filed:        **January 14, 2004** )  
)                   **Docket No.: R087.1287.1**  
For:         **FIRE CONTROL ADJUSTMENT )**  
              **SYSTEM** )

**RULE 37 CFR 1.97(e)(2) CERTIFICATION**

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

This certification is being submitted, in accordance with 37 CFR 1.97(e)(2), with the Information Disclosure Statement enclosed herewith. That no items of information contained in the disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in §1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

7 - 2705  
Date

C. Keith Montgomery  
C. Keith Montgomery  
Reg. No. 45,254  
Attorney for Applicant

**Customer No.: 26158**  
**WOMBLE CARLYLE SANDRIDGE & RICE**  
P. O. Box 7037  
Atlanta, Georgia 30357-0037  
(404) 879-2443 (Telephone)  
(404) 879-2943 (Facsimile)

ATLANTA 460530v1

Sheet	1	of	1
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PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**Complete if Known**

Application Number	10/757,108
Filing Date	January 14, 2004
First Named Inventor	Danny D. Diaz
Art Unit	3641
Examiner Name	Stephen M. Johnson
Attorney Docket Number	R087.1287.1

## U. S. PATENT DOCUMENTS

[illegible]

**FOREIGN PATENT DOCUMENTS**

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages Or Relevant Figures Appear	T <sup>6</sup>
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)				
	E	DE 2 305 515	05/09/1974	VEB Fahrzeug		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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